

CPC Minutes of February 26, 2013

A regular meeting of the City Plan Commission (CPC) was held on Tuesday, February 26, 2013 at 4:45 p.m. in the Department of the Planning and Development (DPD) 1st Floor Meeting Room, 444 Westminster Street, Providence, Rhode Island.

Opening Session

Call to order: Chairwoman West called the meeting to order at 4:50 p.m.

Members Present: Chairwoman Christine West, Harrison Bilodeau, Meredyth Church, Ina Anderson, and JoAnn Ryan

Staff Present: Robert Azar, Choyon Manjrekar and Matthew Jerzyk, City Solicitor

Approval of meeting minutes from January 15th 2013: Ms. Ryan made a motion seconded by Mr. Bilodeau to approve the minutes. All voted in favor.

Director's report: Mr. Azar said Mr. Ruben Flores-Marzan had been appointed Director of the DPD. He said the Thayer Street planning study and Zoning Ordinance rewrite were underway and bids would be reviewed shortly.

MAJOR LAND DEVELOPMENT PROJECT

1. Case No. 12-011 MA – 257 Thayer Street (Final Plan Approval)

The applicant is seeking preliminary plan approval to construct a four story mixed use building with 95 dwelling units intended for student housing with a retail area on the ground floor. Underground parking and a landscaped interior courtyard will be provided – for action (AP 13 Lots 42, 48, 104, 234, 235, 236, 237, 238 and 241, College Hill)

Mr. Azar introduced the project. He said the project had been appealed, but the Zoning Board upheld the CPC's decision. He said the final plan would be presented before the CPC as one of the conditions of preliminary plan approval. Mr. Don Powers, the project architect, presented the plan and detailed how the conditions of approval were met. He said the 3D model had been available for viewing in the DPD offices to allow residents to assess the development. The landscaping plan had been refined to meet the specifications of the ordinance under the supervision of the City Forester. He said the landscaping would be installed pending the Forester's recommendations on grading and tree varieties. Mr. Powers explained the lighting plan and said a lighting plan and cutsheets of light fixtures had been provided. To address comments on the façade, venting grates would be installed where required and spaces previously left blank would be replaced by metal panels. He said an expert would testify on the issue of subsurface drainage and that the administrative subdivision would be applied for prior to final plan submission.

Ms. Church asked if there would be any safety measures implemented to alert pedestrians about vehicles exiting the garage. Mr. Thomas Moses said safety measures would be implemented at the design stage. Mr. Powers said it was his understanding that any issues related to drainage would become apparent at the design stage and would be dealt with at that time. Ms. West said the drainage plan could be reviewed by the DPD staff with the final plan submission if any issues were found. Mr. Azar said a stormwater plan had been submitted by the applicant. Mr. Powers said there was no way to assess drainage issues prior to the engineering phase.

Mr. David Taglianetti of VHB engineering said he had been informed of drainage issues on an abutter's property after storm events, but it was not possible to determine if it was an issue of groundwater or surface drainage issue. He said the project would be designed to alleviate any issues if identified. He said existing drainage flows from the direction of the applicant's property at the intersection of Thayer and Meeting Street to Brook Street, where the

proposed project would be located. He said the drainage system would be developed based on existing flows and topography at the engineering stage.

Mr. Albin Moser said final plan approval should not be granted as the applicant did not present a report on drainage. Mr. Azar said the requirement for plan approval was for the applicant to investigate drainage issues and present a report to the CPC. He said the applicant had reported their findings to the CPC after investigating the issue. A discussion on drainage ensued. Ms. West said the condition of plan approval required the applicant to investigate drainage conditions and did not stipulate that the issue be resolved or that a written report be presented. She asked if a condition could be attached to final plan approval. Mr. Jerzyk said it was an option. Mr. Azar said the requirement of a land development project was that the applicant treat and remove stormwater in a manner that conforms to the regulations and is not responsible for problems on a neighboring site. Mr. Moser said the applicant was required to submit a report. Mr. Moses said the drainage report submitted at the preliminary plan stage fulfilled the applicant's requirement. Ms. West said the information presented by the applicant was satisfactory based on the opinion of City Counsel. She said the CPC could require that the drainage plan be reviewed by DPD staff as a condition of final plan approval.

Mr. William Touret said he opposed the project and read a letter by Mr. Seth Kurn, who also opposed the project, into the record. The letter had been previously sent to the CPC members. Mr. Touret said he opposed the project as the applicant was requesting tax relief when it previously stated that tax relief was not required and would be an extension of Brown University. Ms. West said the CPC received a letter from the Providence Preservation Society (PPS) asking the applicant to conduct a historic survey of the site and commit funds to the Thayer Street planning study. Mr. Moses said the applicant had entered into an agreement to match funds provided by PPS to move buildings off the site. He said PPS had not put up the funds or acquired any of the buildings. Mr. Moses said the requests made by PPS were not justified.

Ms. West asked if the applicant had provided any documentation of onsite properties. Mr. Azar said the applicant had submitted a description of houses and photographs in fulfillment of a condition at the Master Plan Stage, but was less detailed than a historic survey. Ms. West asked if the buildings had been documented as historic structures. Mr. Moses said no documentation existed as the buildings were not on the national register, were not unique and similar to others in the City. A discussion on preservation ensued.

Mr. Bilodeau said he supported the project and felt that the applicant would ensure that drainage would not flood the development. He said the letters submitted contained factually incorrect information. Ms. Anderson said she felt it was important to preserve existing housing stock, but supported the project. Ms. Church said she was satisfied with the explanation provided for stormwater management. Ms. West said she was wary of assigning tasks that were outside the purview of the CPC. She said the applicant and PPS could work together outside of the development process. Mr. Azar read the DPD's staff report into the record and recommended that the final plan be approved.

Ms. Ryan made a motion seconded by Mr. Bilodeau that the final plan be approved subject to the DPD's findings of fact in the staff report and the condition that the drainage plan be reviewed by the DPD prior to applying for building permits. All voted in favor.

MINOR LAND DEVELOPMENT PROJECT

2. Case No. 13-001MI – 55-57 Sprague Street and other sites (Preliminary Plan Approval)

The applicant is proposing to construct a building with 21 dwelling units with a community room and agricultural green space at the site of 55-57 Sprague Street (M-1). The applicant is also proposing to construct townhouses with two to four dwelling units at proximate sites on 217-219 Dexter Street (M-1), 58-80 Diamond Street (M-1), 110-126 Wilson Street (R-3), 197, 196-202 Harrison Street (R-3) and 39 Westfield Street (M-1). The applicant is seeking preliminary plan approval.

(AP 31 Lots 192, 252, 54 and 55 and AP 30 Lots 298, 293, 295, 296, 266, 674, 675 and 388, West End)

Ms. Ryan recused herself and left the meeting. Mr. Azar introduced the project and said it was being reviewed as a minor land development project as it was a residential development. Mr. John Glasson, the project attorney, introduced the project for the applicant. Mr. David Pride said the scattered sites for the development were selected to complement what already existed and would feature sustainable building practices. The houses would be intended to serve the low income clients. There would be a housing office and open agricultural space to serve residents on the Sprague Street site. He said a collaboration of neighborhood groups would work on the site. Work on the sites was expected to begin the following summer. Mr. Jordan Stone of the Peregrine Group said he was optimistic about the project.

Mr. Chris Duhamel of DiPrete Engineering explained the lot configuration and proposed development for each site. He said soil testing and drainage control had been implemented on each site. Ms. Anderson asked if the lots were brownfields. Mr. Duhamel said all lots considered brownfields would be capped. He said the client had worked with the City and State agencies to make the drainage system responsive to their concerns. Low impact design principles had been used to reduce the amount of paving, building surface and lot coverage area. He said the infiltration system was designed to decrease the amount of runoff across all sites.

Mr. John O'Hearn, the project architect, explained the building design across all sites using full size renderings. Ms. Diane Soule, the landscape architect, explained the proposed plantings around the site and said the landscape plans conformed to Section 425 of the Zoning Ordinance. She said it would be difficult to preserve a redwood tree on the Sprague Street site as it was a brownfield that would be capped. Ms. West asked if the residences would be rental units or for ownership. Mr. Pride said all units would be rental units. Ms. West asked if there would be any play areas on site. Mr. Azar said a play area was depicted on the Dexter and Diamond lots. Mr. Pride said there were parks nearby. Mr. Bilodeau asked if the development was taxable. Ms. Sharon Wells said the development would be fully taxable. He asked if the City would be required to maintain the site. Ms. Wells said the applicant would be responsible for maintaining the site.

Ms. Anderson said she approved of the project as it represented a good instance of infill development. She asked if there would be any market rate housing. Ms. Wells all the units would be low income housing. Ms. Anderson asked how the development would be connected to the public realm. Ms. Wells said there were multiple ways to access parks and public areas in addition to the shared public space on site. Ms. Anderson asked if any public meetings had been conducted with the community. Ms. Wells said numerous meetings were held with abutters informing them of different aspects of the project. A discussion on the project details ensued. Ms. West said she felt the project was appropriate for the neighborhood and that the approach to parking was in conformance with the City's long term vision.

Mr. Azar read out the DPDs staff report, which found the project to be in conformance with the zoning ordinance and comprehensive plan and made positive findings regarding the proposed dimensions and use of the property. He said the applicant was required to sign a covenant acknowledging the industrial nature of the building. He recommended that the CPC make a positive recommendation for the dimensional adjustments for height, setbacks and parking requested by the applicant. A calculation of onsite landscaping would be required at the final plan stage although it appeared that the applicant exceeded the required amount of coverage. The applicant would need to merge lots where lot lines were shown passing through buildings and the drainage plan was compliant with State and City regulations. He requested that final plan approval be delegated to DPD staff.

Ms. Anderson made a motion seconded by Mr. Bilodeau to approve the project subject to the findings of fact and conditions in the staff report. All voted in favor.

Adjournment

Mr. Bilodeau made a motion seconded by Ms. Church to adjourn the meeting. All voted in favor. The meeting adjourned at 6:30 pm.

Respectfully Submitted,

A handwritten signature in dark ink, consisting of stylized, overlapping loops and strokes, ending with a small dot.

Choyon Manjrekar,
Recording Secretary